



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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MAY 16 2001

TECH CENTER 1600/2900

APPLICANT: J. Carman )  
 )  
 FOR: METHODS FOR PRODUCING )  
 APOMICTIC PLANTS )  
 )  
 SERIAL NO.: 09/576,623 )  
 )  
 FILED: May 23, 2000 )  
 )  
 EXAMINER: M. Kimball )  
 )  
 ART UNIT: 1638 )  
 )  
 DOCKET: T4088.CONT )  
 )

REQUEST TO CORRECT FILING RECEIPT

Commissioner for Patents  
 Office of Initial Patent Examination  
 Customer Service Center  
 Washington, D.C., 20231

Sir:

This communication is a request to correct the Filing  
 Receipt mailed February 8, 2001.

The Filing Receipt incorrectly names the applicant. The  
 correct applicant is John G. Carman, Smithfield, Utah. A copy of  
 the Filing Receipt is enclosed with the changes noted thereon.

This application is a continuation of U.S. Serial No.  
 09/018,875, filed February 5, 1998. Copies of the Declaration  
 and Filing Receipt of U.S. Serial No. 09/018,875 are enclosed  
 herewith, both of which correctly show John G. Carman as  
 inventor. A copy of the same Declaration was filed with the



Present application.

Wayne H. Watkins, whose name is incorrectly shown as the inventor of the present application, signed a small entity declaration in his capacity as Director of the Office of Technology Commercialization, Utah State University. A copy of that small entity declaration also accompanied the present application.

In view of the proof provided herein, correction of the Filing Receipt is respectfully requested.

Dated this 14<sup>th</sup> day of February, 2001.

Respectfully submitted,

Alan J. Howarth, Ph.D.  
Attorney for Applicant  
Customer No. 20450

Enclosures:

Copy of Filing Receipt with Changes Marked Thereon  
Copy of Inventor's Declaration of U.S. Serial No. 09/018,875  
Copy of Filing Receipt of U.S. Serial No. 09/018,875



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RECEIVED Page 1 of 3  
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COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/576,623	05/23/2000	1638	460	T4088.Cont	4	19	4

20450  
ALAN J HOWARTH  
PO BOX 1909  
SANDY, UT 84091

FILING RECEIPT



\*OC000000005745018\*

Date Mailed: 02/08/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

~~Wayne H. Watkins, North Logan, UT;~~ John G. Carman, Smithfield, UT

Continuing Data as Claimed by Applicant

THIS APPLICATION IS A CON OF 09/018,875 02/05/1998 ABN  
WHICH CLAIMS BENEFIT OF 60/037,211 02/05/1997

Foreign Applications

If Required, Foreign Filing License Granted 07/27/2000

\*\* SMALL ENTITY \*\*

Title

Methods for producing apomictic plants

Preliminary Class

800

Data entry by : RORIE, DEANNA

Team : OIPE

Date: 02/08/2001



FILING RECEIPT  
CORRECTED



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS	TOT CL	IND CL
09/018,875	02/05/98	1649	\$501.00	T4088.BOP	4	20	5

020450

ALAN J HOWARTH  
THORPE NORTH WESTERN  
P O BOX 1219  
SANDY UT 84091-1219

*IDS due 5-5-98*  
*FF lt 8-5-98*  
*Fi lt 10-5-98*  
*extended Fi due 2-5-99*

*forwarded by  
J. Roberts*

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SEP 11 1998

Thorpe, North & Western

Receipt is acknowledged of this patent application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Application Processing Division's Customer Correction Branch within 10 days of receipt. Please provide a copy of the Filing Receipt with the changes noted thereon.

Applicant(s) JOHN G. CARMAN, SMITHFIELD, UT.

CONTINUING DATA AS CLAIMED BY APPLICANT-  
PROVISIONAL APPLICATION NO. 60/037,211 02/05/97

FOREIGN FILING LICENSE GRANTED 05/01/98

\* SMALL ENTITY \*

TITLE

METHODS FOR PRODUCING APOMICTIC PLANTS

PRELIMINARY CLASS: 800

COPY

ENTERED  
EQ-15-98



Docket No. T4088.CONT

### **CERTIFICATE OF MAILING**

Date of Deposit:

February 14, 2001

I hereby certify that the enclosed Request to Correct Filing Receipt, in the name of the J. Carman for METHODS FOR PRODUCING APOMICTIC PLANTS together with a copy of the Filing Receipt with corrections, copy of the filing receipt from the parent application (Serial No. 09/018,875), copy of Declaration Power of Attorney, and a postcard are being deposited with the United States Postal Service First Class Mail to Addressee under 37 C.F.R. Section 1.8 on the date indicated above in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231.

Respectfully submitted this 14th day of February, 2001.

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Alan J. Howarth  
CLAYTON, HOWARTH & CANNON, P.C.  
P.O. Box 1909  
Sandy, Utah 84091-1909  
Telephone (801) 255-5335  
Facsimile (801) 256-2043

EXPRESS MAILING LABEL NO. @

PATENT APPLICATION



Combined DECLARATION for Patent Application  
and

POWER OF ATTORNEY  
(Includes reference to PCT International Applications)

**COPY  
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MAY 16 2001

TECH CENTER 1600/2900

Attorney: Alan J. Howarth

Docket No. T4088.BOP

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As below named inventor, I hereby declare that:

My residence, post office address and citizenship is as stated below next to my name.

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **METHODS FOR PRODUCING APOMICTIC PLANTS** the specification of which (check only one item below):

☐ is attached hereto.

☒ was filed as United States application

Serial No. 09/018,875 on February 5, 1998 and was amended on \_\_\_\_\_ (if applicable).

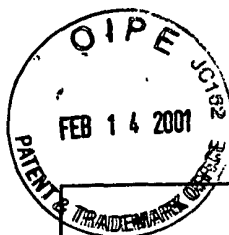
☐ was filed as PCT international application

Number \_\_\_\_\_ on February 5, 1998 and was amended under PCT Article 19 on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than that United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:



PRIOR FOREIGN/PCT APPLICATION(S)  
AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. 119:

COUNTRY (Indicate if PCT)	APPLICATION NO.	DATE OF FILING	PRIORITY CLAIMED UNDER 35 USC 119
U.S.	60/037,211	February 5, 1997	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

I hereby claim the benefit under Title 35, United States Code §120 of any United States application(s) or PCT international application(s) designating the United States of America that is/as listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. BENEFIT UNDER 35 U.S.C. 120:				
U.S. APPLICATIONS		STATUS (Check one)		
U.S. Application No.	U.S. Filing Date	Patented	Pending	Abandoned

PCT Applications Designating the U.S.			
PCT Application No.	PCT Filing Date	U.S. Serial Numbers Assigned (if any)	Priority Claimed Under 35 USC § 371

POWER OF ATTORNEY: As named inventor, I hereby appoint the following attorney(s) and/or agents(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. The following are names and registration numbers: CALVINE E. THORPE, Registration No. 24,928; VAUGHN W. NORTH, Registration No. 27,930; M. WAYNE WESTERN, Registration No. 22,788; GRANT R. CLAYTON Registration No. 32,462; ALAN J. HOWARTH, Registration No. 36,553; KARL R. CANNON, Registration No. 36,468; RANDALL B. BATEMAN, Registration No. 37,774; DAVID W. O'BRYANT, Registration No. 39,793, and FRANK W. COMPAGNI, Registration No. P-40,567.

Send Correspondence and telephonic communications to:

Alan J. Howarth  
THORPE, NORTH & WESTERN, L.L.P.  
P.O. Box 1219  
Sandy, Utah 84091-1219



Full Name of Inventor #1:	FAMILY NAME Carman	FIRST GIVEN NAME John	SECOND GIVEN NAME G.
Residence & Citizenship:	CITY Smithfield	STATE OR FOREIGN COUNTRY Utah	COUNTRY OF CITIZENSHIP: U.S.A.
Post Office Address:	POST OFFICE ADDRESS 396 South 455 East	CITY Smithfield	STATE AND ZIP CODE: Utah 84335

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Name of Inventor: John G. Carman

Signature: John G. Carman

Date: March 2, 1998

T4088BOP-DeclPOW.205

Subscribed to and sworn before me this 2nd day of March, 1998  
State of Utah, County of Cache

Marlene Berger  
Notary Public

My commission expires:

5/28/2000

